

MINUTE ITEM

This Calendar Item No. C53 was approved as Minute Item No. 53 by the California State Lands Commission by a vote of 3 to 0 at its 4-17-06 meeting.

CALENDAR ITEM

**C53**

A 4

S 1

PRC 4855

04/17/06

WP 4855.1

S. Young

**GENERAL LEASE-RECREATIONAL USE**

**APPLICANT:**

Jean M. Sheldon First Family Limited Partnership

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in Lake Tahoe, near Carnelian Bay, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier, and two existing mooring buoys, previously authorized by the Commission, as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning October 28, 2005.

**CONSIDERATION:**

\$732 per year, effective October 28, 2005; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

Other:

This lease is conditioned on the Applicant obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments - Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On February 27, 1996, the Commission authorized a ten-year Recreational Pier Lease effective October 28, 1995, to Jean M. Sheldon,

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Trustee of the Sheldon Family Trust (Trust). Since the lease was issued in 1996, there occurred a series of intra-family transfers of ownership interests in the upland parcel. The fee interest in the upland parcel is now held by the Jean M. Sheldon First Family Limited Partnership (Applicant). Applicant does not qualify for a rent-free Recreational Pier Lease because the Applicant does not own the littoral property as a natural person pursuant to Public Resource Code section 6503.5. Applicant is now applying for a General Lease – Recreational Use for the continued use and maintenance of the existing pier and two existing mooring buoys, previously authorized by the Commission.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**APPROVALS REQUIRED:**

**Buoys:** Tahoe Regional Planning Agency

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF

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REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

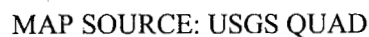
**AUTHORIZATION:**

AUTHORIZE ISSUANCE TO JEAN M. SHELDON FIRST FAMILY LIMITED PARTNERSHIP OF A TEN-YEAR GENERAL LEASE – RECREATIONAL USE, BEGINNING OCTOBER 28, 2005, FOR AN EXISTING PIER AND TWO MOORING BUOYS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$732, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

## SITE



## LOCATION



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## Exhibit A

MJ3/02/06